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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,957	09/29/2003	Craig Nevill-Manning	24207-10063	3799
62296	7590	06/07/2007		
GOOGLE / FENWICK SILICON VALLEY CENTER 801 CALIFORNIA ST. MOUNTAIN VIEW, CA 94041			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/673,957	<b>Applicant(s)</b> NEVILL-MANNING ET AL.	
	<b>Examiner</b> Nicholas Augustine	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-12,15-18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-12,15-18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/22/2007</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

A. This action in response to the following communications: Amendment filed 3/22/2007. ***This action is made final.***

B. Claims 2,13,14,19 are canceled. Claims 1,3,4,12,15,16,18,20,22,23 are amended.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3-6,8-12,15,16,18,20,21,23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnett et al. (6,369,840 B1).

As for independent claim 1, Barnett teaches in a product search engine, a method for displaying search

results in response to a search query (col.3, line 44 and col.10, lines 11-12) comprising:

obtaining a product search query generated by a user (col.10, lines 11-12);

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responsive to the query, obtaining search results comprising a set of links each of the links associated with a web document determined to be relevant to the query (figure 6);

and

displaying the set of links according to a plurality of user-selectable formats, wherein the plurality of user-selectable formats includes a grid view and a list view (figure 7A-B; 703 and 704). (The user searches products, which are event tickets and corresponding goods and displays the results in grid and list views with more detailing information "list format" and less detailing information "grid format")

As for dependent claim 3, Barnett teaches the method of claim 1, further comprising: associating at least one advertisement with the query; and generating the advertisement for display in the list view (figure 7A, on top page an advertisement is displayed also depicted in figures 7B-14).

As for dependent claim 4, Barnett teaches the method of claim 1, further comprising: for each of the set of links, generating a first set of cues for output in a first one of the plurality of user-selectable formats, and generating a second set of cues for output in a second one of the plurality of user-selectable formats.

As for dependent claim 5, Barnett teaches the method of claim 4, further comprising generating the first set of cues for output as a first type of media and the second set of cues as output as a second type of media (figures 7A,10,11; wherein depicted are

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differing cues depicted differing information; text links, icons, etc).

As for dependent claim 6, Barnett teaches the method of claim 4, further comprising generating the set of cues for output as text, and generating the second set of cues for output as a truncated version of the first set of cues (figure 11, wherein a visual cue is marked to truncated text of last text cue in figure 12).

As for dependent claim 8, Barnett teaches the method of claim 5, further comprising generating the first set of cues for output as audio (col.30, line 15).

As for dependent claim 9, Barnett teaches the method of claim 5, further comprising generating the first set of cues for output as text (figure 7A).

As for dependent claim 10, Barnett teaches the method of claim 3, further comprising generating no advertisement for display in the grid view (figure 7B; no advertisements are in the grid as depicted in figure 7B and 19; item 1901 includes advertisements).

As for dependent claim 11, Barnett teaches the method of claim 3, further comprising generating the advertisement for display if the grid view is selected (figure 7B; advertisement changed when the user selected grid 703 as indicated of figure 7A to figure 7B transition).

As for independent claim 12, Barnett teaches a method for providing user-selectable views of search results by a product search engine comprising:  
displaying a set of search results relevant to a product search on a first search result page, the set of search results displayed in accordance with a view; and  
providing a link on the search result page to a second search result page, the second search result page for displaying the set of search results in accordance with a list view (col.10, lines 11-12; col.12, lines 58-67).

As for dependent claim 15, Barnett teaches the method of claim 12, wherein an amount of textual information displayed in conjunction with a search result of the set of search results in the list view is relatively less than in conjunction with the search result in the view (figures 7A-B shows a decrease of text information by switching views).

As for independent claim 16, Barnett teaches in a product search engine, a method for displaying search results comprising:  
generating a set of search results in response to a search query; and  
displaying the set of search results as a grid of two or more columns on a search result page, in response to user selection of a grid view (note the analysis of claim 1 and 12).

As for independent claim 18, Barnett teaches in a specialized search engine, a method for outputting specialized search results comprising:

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generating a set of search results in response to a search query; outputting a first set of cues for one of the set of search results upon selection of a grid view output mode by a user; and outputting a second set of cues for the one of the set of search results upon selection of list view output mode by the user (note the analysis of claims 1,5,6,8 and 9 above).

As for independent claim 20, Barnett teaches an apparatus for searching a database in response to a search query comprising:

a storage area to store a set of instructions; and a processor, coupled to the storage area, to execute the instructions which cause the processor to (figure 1,1A,1B and 2): obtain a set of search results from a database in response to a query; and generate the set of search results for output in a first format, wherein a first set of cues are output for one of the set of search results in response to user selection of a grid view; and generate the set of search results for output in a second format, wherein a second set of cues are output for one of the set of search results in response to user selection of a list view (note the analysis of claims 1,5,6,8 and 9 above).

As for dependent claim 21, Barnett teaches the apparatus of claim 20, wherein the first set of cues and second set of cues differ with respect to an amount of text included in each (note the analysis of claim 15).

As for dependent claim 23, Barnett teaches a product search engine system comprising:

means for generating product-related search results in a first output format in response to user selection of a grid format; and means for generating product-related search results in a second output format in response to user selection of a list format (note the analysis of claims 1,5,6,8 and 9; wherein the user can search in grid or list view of results as taught by Barnett).

As for dependent claim 24, Barnett teaches the product search engine system of claim 23, wherein the first output format includes displaying the product-related search results in a grid format comprising two or more columns (figure 7B).

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***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of



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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett.

As for dependent claim 7, Barnett teaches the method of claim 5 for the same reasons as discussed with respect to claim 5 above. However, Barnett does not expressly disclose the use of images associated with results (products/ events). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the use of pictures to accommodate products, because Barnett suggest that one skilled in the art will recognize that other visual characteristics could be used to associate products such as a distinctive icon or other technique (col.13, col.18-21)

As for dependent claim 17, Barnett teaches the method of claim 16 for the same reasons as discussed with respect to claim 16 above. However, Barnett does not expressly disclose the use of pictures associated with results (products/ events). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the use of pictures to accommodate products, because Barnett

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suggest that one skilled in the art will recognize that other visual characteristics could be used to associate products such as a distinctive icon or other technique (col.13, col.18-21)

As for dependent claim 22, Barnett teaches the apparatus of claim 21, wherein the instructions which cause the processor to generate the set of search results for output in a first format comprise the query is product related and the second format includes displaying the set of search results in a grid format (note the analysis of claims 1,5,6,8 and 9 above). However, Barnett does not expressly disclose the use of pictures associated with results (products/ events). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the use of pictures to accommodate products, because Barnett suggest that one skilled in the art will recognize that other visual characteristics could be used to associate products such as a distinctive icon or other technique (col.13, col.18-21)

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***It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).***

### ***Response to Arguments***

Applicant's arguments with respect to claims 1,3-12,15-18,20-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



N. Augustine  
June 4, 2007

Nicholas Augustine  
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